

1
2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7

8 NETWORK APPLIANCE INC,

No. C-07-06053 EDL

No. C-07-5488 EDL

9 Plaintiff,

10 v.

**ORDER REGARDING DISCOVERY
LETTERS**

11 SUN MICROSYSTEMS INC,

12 Defendant.
13 _____/

14 On March 6, 2009, Sun Microsystems, Inc. filed a letter seeking the Court's involvement in
15 setting additional discovery deadlines in light of the upcoming April 24, 2009 fact discovery
16 deadline. On March 9, 2009, Network Appliance, Inc. filed a response to Sun's letter, further
17 detailing a substantive discovery dispute between the parties. It is hereby ordered that both
18 unilateral letters are STRICKEN. The parties are ordered to further meet and confer regarding the
19 issues detailed in both letters and attempt to resolve these issues without Court involvement. After
20 the parties meet and confer, they may file a *joint* letter not to exceed five pages no later than March
21 13, 2009 briefing any unresolved discovery *scheduling* issues. To the extent the parties have any
22 remaining substantive discovery issues, they must address these in a properly noticed motion and
23 request shortened time if appropriate. The Court makes no judgment as to whether any documents
24 have been improperly withheld. However, if the Court ultimately finds that certain documents were
25 improperly withheld, this may subject certain witnesses to redeposition.

26 ///

27 ///

28 ///

IT IS SO ORDERED.

Dated: March 9, 2009

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge